

**REMARKS**

Claims 54-58 are pending in the application. There are no amendments in this reply.

**NO RCE FILED**

As a preliminary matter, the Applicants are puzzled by the Office Action's statement, on page 2, that a request for continued examination was filed after appeal to the Board of Patent Appeals and Interferences, and that a fee set forth in 37 CFR 1.17(e) was timely paid. **THE APPLICANTS DID NOT FILE ANY SUCH RCE. THE APPLICANTS DID NOT PAY ANY SUCH FEE.** To the contrary, the Examiner appears to have re-opened prosecution after appeal, of the Examiner's own volition. The Applicants did **NOT** re-open prosecution after appeal by filing an RCE.

The Applicants respectfully request that the next Office Action acknowledge these facts.

**CLAIM REJECTIONS—35 U.S.C. § 102**

Claims 54-58 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 7,152,207 ("Underwood"). This rejection is respectfully traversed.

Claim 54 recites, among other features, "storing a web site XML file; wherein the **web site XML file is an XML document that specifies the structure of a multi-page web site;** wherein **the web site XML file specifies (a) relationships between web pages of the multi-page web site,** and (b) the structure and content of the pages of the multi-page web site." Underwood does **NOT** disclose any XML document that specifies relationships between web pages of a multi-page web site.

The Applicants acknowledge their familiarity with Underwood's FIG. 68 and the "hierarchy" displayed thereon. However, even **IF** this hierarchy specifies relationships between

web pages of a multi-page web site (and the Applicants do **NOT** concede that the hierarchy does so) Underwood still does **NOT** disclose that this hierarchy is specified in any **XML document**.

The Office Action points to Underwood's col.49, lines 34-50, as allegedly disclosing the features of Claim 54 discussed above. This portion of Underwood does **NOT** disclose that an XML document or XML file specifies relationships between web pages of a multi-page web site. The XML document discussed in this portion of Underwood does **NOT** even specify a "hierarchy" such as the one shown in Underwood's FIG. 68.

Instead, the XML document discussed in this portion of Underwood is the serialization of a state of a "DXC" (col. 49, lines 35-38). A DXC does **NOT** specify relationships between web pages of a multi-page site. Instead, a DXC is an external web-server-hosted application that generates custom content for inclusion **within a page** of a Definer web site (col. 46, lines 15-18). A DXC is a third party **application** or component (col. 46, lines 22-24). A DXC produces HTML representations of DXC instances, which are specific instances of a DXC **embedded in a web page** (col. 46, lines 28-30). Thus, these DXC instances are nothing more than third-party applications that are embedded within web pages of a web site. DXC, and the instances thereof, do **NOT** specify the **structure** of such a web site as a whole, **NOR** do they specify **relationships between** pages of such a web site.

Indeed, it makes absolutely no sense to argue that a DXC instance, embedded within a page of a web site, would also specify the structure of that web site or relationships between pages of that web site. There is no reason why something embedded within a page of a web site would specify relationships between pages of that web site. The DXC instance apparently produces content for consumption by the viewer of the web page in which that DXC instance is embedded, rather than being a part of a tool that is used to generate a web site of which such a web page is a part.

Thus, even if a DXC can be serialized as XML, DXC has nothing to do with the specification of a multi-page web site, nor does DXC have anything to do with the specification of relationships between pages of a multi-page web site. Even if other parts of Underwood discuss a hierarchy of some kind, this hierarchy is not expressed by the DXC in any way.

Therefore, Underwood does **NOT** disclose, teach, or suggest, “storing a web site XML file; wherein the **web site XML file is an XML document that specifies the structure of a multi-page web site**; wherein the **web site XML file specifies (a) relationships between web pages of the multi-page web site**, and (b) the structure and content of the pages of the multi-page web site” as recited in Claim 54. Consequently, Claim 54, and the claims that depend from Claim 54, are patentable over Underwood under 35 U.S.C. § 102(e).

#### CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

Hickman Palermo Truong & Becker LLP

Dated: February 1, 2008

/ChristianANicholes#50266/  
Christian A. Nicholes  
Reg. No. 50,266

2055 Gateway Place, Suite 550  
San Jose, California 95110-1089  
Telephone No.: (408) 414-1080  
Facsimile No.: (408) 414-1076